

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 30, 1954
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Absent: None

Present also: W. E. Seaholm, City Manager; Doran R. Eskew, Acting City Attorney; C. G. Levander, Director of Public Works; Clifford Stohl, Assistant Tax Assessor and Collector.

Invocation was delivered by REV. ROY T. SHERROD, Westminister Presbyterian Church.

Pledge of Allegiance to the Flag.

Councilman White moved that the Minutes of September 23rd, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mr. and Mrs. R. L. Ziller have made application in writing through their attorney Herman Jones, for permission to operate a doctor's office and clinic for human beings only, on the southwest 1/4 of Outlot 30, Division E, of the City of Austin, Travis County, Texas, the same being on the north side of West 15th Street, and locally known as 506-508 West 15th Street, and is located in a "B" Residential District, which under Section 5, Item 6 of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission for the operation and maintenance of a doctor's office and clinic for human beings only be granted to Mr. and Mrs. R. L. Ziller with the following conditions:

1. That this clinic be used in the general practice of medicine, and that no mental or psychiatric patients be housed in such clinic.
2. That all setback regulations required in this zone and all building code provisions be complied with in the operation and maintenance of such building.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The City Manager presented the following:

"September 27, 1954

"Memo to: Mr. W. E. Seaholm, City Manager

From : D. C. Kinney, Superintendent Electric Division

"Bids were opened September 15, 1954, at 10:00 A.M., for protective relays, supervisory control, towers and associated microwave equipment for supervising and controlling the 69 KV lines. The bids received are tabulated below:

"Motorola C. & B., Inc.	\$331,832.00	226 days
"Radio Corporation of America	320,447.00	330 days
"Philco Corporation	299,004.00	360 days
"Collins Radio Company	277,017.00	480 days
"General Electric Company	266,435.00	256 days
"Westinghouse Electric Corporation	<u>246,992.00</u>	231 days

"All of the above Bids meet the specifications and the deliveries quoted are satisfactory. I recommend that we accept the low bid of Westinghouse Electric Corporation for \$246,992.00.

"(Sgd) D. C. Kinney
D. C. Kinney, Superintendent
Electric Division

Approved

W. E. Seaholm
City Manager"

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 15, 1954, for protective relays, supervisory control and associated microwave equipment

for the 69 kilovolt system; and,

WHEREAS, the bid of Westinghouse Electric Corporation in the sum of \$246,992.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Electric Division of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Westinghouse Electric Corporation in the sum of \$246,992.00 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Westinghouse Electric Corporation.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Pearson**, Thompson, White, Mayor McAden

Noes: None

Present but not voting: Councilman Long*

*Councilman Long made the following statement:

"There is doubt in my mind as to the feasibility; as to whether or not it saved the city money; whether or not it was the best system and whether or not it is needed, and I will not vote on it."

**Councilman Pearson made the following statement:

"I have every confidence in Mr. Seaholm's ability to recommend to this Council; it was recommended in the Electric Department, and the Engineers recommended it, and I very definitely vote 'yes'."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a Private Road Crossing Contract on behalf of the City of Austin with the Texas and New Orleans Railroad Company whereby the Texas and New Orleans Railroad Company grants to the City of Austin the right to construct and thereafter use a private road crossing over the said railroad company's tracts and property at Engineer's Station 36 / 64 in Austin, Travis County, Texas, in accordance with the terms and provisions of said contract, as exhibited to the City Council by the City Manager.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The City Manager presented the following:

"September 28, 1954

"Memorandum to: Walter E. Seaholm, City Manager
 Memorandum from: Albert R. Davis, Superintendent, Water Department
 Subject: Proposals for Excavation for South Austin Site

"Proposals for the excavation of 20,000 cubic yards of unclassified material at the site of the proposed South Austin Reservoir were received until 10:00 A.M., September 28, 1954, and then publicly opened and read. The following proposals were received.

<u>"Contractor</u>	<u>Total Bid</u>	<u>Working Days</u>
1. Raymond Canion	\$ 7,900.00	40
2. Stevens Construction Co.	8,600.00	40
3. Joe Bland Construction Co.	9,200.00	30
4. J. R. Canion	9,800.00	25
5. S. B. Ricks	9,880.00	30
6. Brown and Root, Inc.	11,600.00	30
7. Lee Maners	17,600.00	35
8. McKown and Sons	62,000.00	45

"The above proposals have been analyzed and it is my recommendation that the proposal of Raymond Canion be accepted as the lowest and best proposal received.

"Albert R. Davis
 Superintendent
 Water Department

"Approved _____ City Manager
 "ARD mm"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 28, 1954, for the excavation of 20,000 cubic yards of unclassified material at the site of the proposed South Austin Reservoir; and,

WHEREAS, the bid of Raymond Canion in the sum of \$7,900.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Raymond Canion in the sum of \$7,900.00 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute on behalf of the City of Austin a contract with Raymond Canion.

The motion, seconded by Councilman Long, carried by the following vote:
 Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

The Council received the following:

"September 29, 1954

"Mayor C. A. McAden and
Members of the City Council
Austin, Texas

"Dear Council Members:

"This letter is written to notify you that the Board of Equalization has completed its work in connection with the equalization of property values for tax assessment purposes in the City of Austin for the year 1954.

"The burden of duties assigned the Board, arising out of the city-wide reappraisal of property values during the current year, has been substantial. Within the limited time available to us for the completion of the task, we have attempted to give all taxpayers who wished to appear before us a fair, courteous, and thorough hearing.

"It has been our goal, as we proceeded in our duties, to determine the fair market value of the property involved in each case which has come before us, and we have considered all relevant information which could be obtained and which had any significance in the determination of such fair market value. This we have done to the best of our ability.

"Respectfully yours,
THE BOARD OF EQUALIZATION
(Sgd) W. L. Moore
W. L. Moore, Chairman
(Sgd) Eldridge Moore
Eldridge Moore
(Sgd) Carey C. Thompson
Carey C. Thompson"

The Mayor stated his personal point of view was that this Board had been very kind and courteous and had kept the public relations foremost in their deliberations with each individual that appeared before them, and he had had a number of compliments about them.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Board of Equalization of the City of Austin has reported that it has completed its work in the equalization of values of property for tax assessment purposes within the City of Austin for the year, 1954; and

WHEREAS, it is the desire of the City Council that the report of the Board of Equalization be received; and

WHEREAS, it is the unanimous opinion of the City Council that the task performed by the Board of Equalization has been done in a most satisfactory manner through diligent efforts of the individual members of the Board and by the Board as a group; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the report of the Board of Equalization be and the same is hereby received, and BE IT FURTHER RESOLVED that copies of this Resolution be signed by the Mayor and delivered to Carey Thompson, Eldridge Moore, and W. L. Moore, members of the Board of Equalization, as a public expression of the appreciation of the people of the City of Austin for an extremely valuable service performed in a most exemplary manner.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Thompson wanted to see these gentlemen definitely get public recognition, as they had worked diligently and hard and people had come away from their meetings and said they felt good; that they had been treated courteously; and even though the Board in some cases did not agree with them they did feel they had a fair hearing and had been dealt with justly, and he wanted some special recognition given these gentlemen. Councilman Pearson realized the job was a big one and from all the people having been before this Board, he had received only compliments for the members--no complaints.

The Mayor brought up the matter of approving the tax roll. Councilman Long inquired as to the status of appeals--if the people could continue to appear before the Council after the tax roll had been adopted. The Acting City Attorney explained that if they had been before the Board of Equalization and had given notice of intention to appeal by the time the tax roll was adopted, they could still come before the Council. On October 1st, the taxes are due and payable and they cannot be payable until the Council has approved the tax roll. It was announced that appeals in the mail as of this date would be accepted.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Board of Equalization of the City of Austin has certified its approval of the tax assessment rolls and records of the City of Austin for the year 1954, and has forwarded the same to the City Council; and

WHEREAS, said tax assessment rolls appear in all respects to be in correct form and prior to their submission the valuations of property shown in said rolls have been examined and corrected in the manner provided by law and ordinances of the City of Austin by the Board of Equalization; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That subject to such adjustments as may be found necessary by reason of appeals from the Board of Equalization now pending before the City Council, the tax assessment roll, showing a total amount of \$382,446,360.00 valuation for said year, and the tax assessment roll showing the total value of \$7,210,710.00 valuation of the property lying within and assessed by the City for School purposes only for said year, be and the same are hereby approved and adopted.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE FIXING AND LEVYING MUNICIPAL AND SCHOOL AD VALOREM TAXES FOR THE CITY OF AUSTIN, TEXAS, FOR THE YEAR 1954, AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council discussed the tax rate of Austin and other Cities. Councilman Thompson asked that a study be made of taxes through the state and the results be given to the people of Austin, as it looked as though Austin had a lower rate than other cities. He was hearing that the people believed that businesses were taxed out of business and the home owners were burdened unbearably. Councilman Thompson believed that the tax rate here revealed Austin was below other Cities, and he would like to see this comparison made.

Councilman Long suggested that since the School Board had planned on submitting a \$10,000,000 bond issue soon, that the City should be planning on what it wanted to offer, and include a substantial paving program in its offer. She suggested the Revolving Fund authorized in the Charter, and asked

that a definite study be made of the possibility of using the pension fund to purchase the notes from taxpayers having the paving done; pay the pension fund 4% against its 3%, and that would increase the income from its money that is now being used in government bonds. The City Manager explained the possibilities, and the ordinance determining the limits of the Board of Directors of the Pension System to invest the money. Councilman Pearson wanted to be very cautious about using this pension money.

Councilman Long moved that the City Manager make a thorough study, working with the Actuary and City Attorney and others and bring back a report and recommendation to the Council within 90 days. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Thompson asked the Council to consider the establishment of a committee such as worked on the Subdivision Ordinance, to take under advisement the paving program of Austin, and study it and make recommendations as to getting some paving accomplished. Councilman Pearson had also suggested such a committee of people who knew what they were doing and could recommend on the paving and financing as well.

Mayor McAden brought up the following ordinance to be finally passed:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 27.10 ACRES OF LAND, MORE OR LESS, SAME BEING PORTIONS OF WALNUT HILLS, SECTION 4, AND WALNUT HILLS, SECTION 5, SUBDIVISIONS OF PORTIONS OF THE THOMAS ELDRIDGE SURVEY, THE J. A. G. BROOKS SURVEY, AND THE PATRICK LASK SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located on the west side of South Congress Avenue and approximately 1413 feet south of St. Elmo Road, which property fronts approximately 175 feet on South Congress Avenue, and being out of the Isaac Decker League in the City of Austin, Travis County, Texas, and hereby authorizes the said Texas Company to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Texas Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"September 30, 1954

Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of The Texas Company for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located on the west side of South Congress Avenue and approximately 1413 feet south of St. Elmo Road, which property fronts approximately

175 feet on South Congress Avenue and being out of the Isaac Decker League in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Merle Goodnight and is under lease to The Texas Company, and we hereby advise that the following conditions exist:

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner.

"We recommend that The Texas Company be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - H - 1319.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1319 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Evans Construction Company is the Contractor for the erection of a building located at 1716-18 Lavaca Street and desires a portion of the sidewalk and street space abutting the center 50 feet of the northeast 1/4 of Outlot 36, Division E, of the City of Austin, Travis County, Texas, during the erection of a building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Evans Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the south east corner of the above described property; thence in an easterly direction and at right angles to the center line of Lavaca Street to a point 12 feet east of the west curb line; thence in a northerly direction and parallel with the center line of Lavaca Street approximately 50 feet to a point; thence in a westerly direction and at right angles to the center line of Lavaca Street to the east line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Evans Construction Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(6) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(7) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(8) That the Contractor shall remove all fences, barricades, loose materials and other obstruction on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than November 1, 1954.

(9) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(10) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(11) That any public utility, or public or private property distured or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(12) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Pearson, carried by the following vote;

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

The Council received notice from the City Manager that the following application for change of zoning had been referred to the Plan Commission:

TEXAS REALTY CO., INC.	1135D Springdale Road &	From "A" Residence
By Oscar W. Holmes	4600-02 Tanney Street &	1st Height and Area
	1121D-1133D Springdale	To "C" Commercial
	Road & 1120D-1132D Maple	6th Height and Area
	Street	

The Mayor made inquiry of the de-zoning of the University property.

Councilman White moved that KUEHNE, BROOKS and BARR be selected as Architects for the Zavalla Community center, and NIGGLI & GUSTAFSON for the Health Building. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

The Council received a petition asking that something be done about the violation of the City Zoning Ordinance at the Stelfox Body Works on Barton Springs Road. The Council referred this to the City Manager.

The City Manager was requested to look into the request of JOHN LINN SCOTT concerning parallel parking on Colorado, and make a report.

The City Manager submitted the request from the Superintendent of Public Schools asking that the City sell the remaining million dollars of School Bond money, and he recommended setting the 28th of October as the date to receive bids. Councilman Thompson moved that the date of the 28th of October be set as the date on which bids for the sale of \$1,000,000 School Bonds and for any other City Bonds that the Council decides to sell, would be received. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

The Council recessed until 2:00 P. M.

At 2:00 P. M. the Council heard the following appeals from the decisions of the Board of Equalization:

J. W. JOHNSON, 510 East 5th Street - Service Station, one family dwelling and Commercial Building. The Attorney, Mr. Julian Clopton felt the property was valued too high to come in line with the market value, as it is

valued at \$36,809, and sold in 1951 for \$31,500.00, and Mr. Johnson has it listed for sale now at around \$33,000. Comparison of surrounding properties was made. Action deferred until the following week.

Dr. A.A. BIEBEL, 9.9 acres, J. C. Tannehill League, 700 Red River, and 300 East 9th. At 700 Red River Street, there is a filling station renting for \$1,800 per year, lease made in 1950 to run 11 more years. Discussion was held on revenues from property determining market value and proving valuation. The Acting City Attorney stated leases could be taken into consideration, but they would not necessarily establish value. The valuation was based on \$250 per front foot on East 7th Street and \$120 on Red River.

9.9 acres in Govalle, right in front of Munson Street and facing on Springdale Road. MR. JULIAN CLOPTON represented Dr. Biebel in his appeals. This is pasture land renting for \$50.00 a year. The tax value was placed on this as it was good subdivision property and should carry its weight as subdivided lots. It is surrounded by subdivided land, with houses on each lot. The Gulf Oil Co. tract in 1948 sold for \$15,000 for 10 acres, and is now assessed at over \$2800 per acre as against Mr. Biebel's due to the fact Mr. Biebel's tract does not have the possibility of a railroad spur to it, while the other tracts do have.

MR. JULIAN CLOPTON withdrew the appeal on the property at 300 East 9th Street - the two apartments and family residence. - Lots 1 & 2, and West 43.5' of lot 3, block 113, 300 East 9th Street.

MR. H. P. HUNNICUTT, property at 405 West 12th Street. MR. WAYNE THODE represented the Hunnicutt Estate. He stated the building was not worth anything. It was thought the land value might be a little below. MR. BEN KING, appraiser, stated the property, 82 years old, had no remaining economic life and could not pay its upkeep; no salvage value. The land would be worth a minimum of \$12,500. The Council compared values of property next door.

DALE MORRIS, .28 acres - S. J. Whatley Survey, \$28.31 increase. His impression was that the Board of Equalization had agreed on valuing all the property in this area at \$1,000 an acre, which he thought was fair enough; but due to some misunderstanding and the Board's not recalling that it had that agreement, his property was assessed at \$750 for 1/4 acres, which would make it worth \$3,400 per acre. It was thought that this whole area was in the process of being adjusted as the cards were not available in the Tax Department, and the Council postponed any decision waiting to find out about the readjustment.

Mr. Morris inquired about obtaining a fire hydrant. There were 16 people on a 2" line, and they were about a mile from a 6" line. His insurance rates would be reduced when a fire hydrant was located near by. The matter was referred to the City Manager.

EARL BARTON, Top Hat Cafe and Night Club. MR. BARTON withdrew his appeal.

W. P. HOLLOWAY, area between Navasota and Onion, and East 5th and East 6th. Lots 7, 8, 9, 10 and part of Lot 11. He purchased Lots 9 and 10 and part of Lot 11, (121.05') for \$4990.00 in 1948. In October, 1953, he purchased Lots 7 and 8 for \$10,050, which sold in 1950 for \$11,000.00. They were placed on the tax rolls for more than he paid for them, he stated. He stated there were errors in the amount per front foot: Lot 7, \$95.00 a front foot; Lot 8, \$125.00; Lot 9, \$97.00; Lot 10, \$124.52, and part of Lot 11, \$124.52. It was explained that one lot was cheaper because it did not have railroad trackage. The property under discussion was 1402, 1404-06 East 5th Street, and 1408 East 5th Street or 502 Onion Street. His objection was that 1408 East 5th was placed on the rolls at \$24,000 when 60 days before the 1954 assessment was made, he paid \$10,050.00 for it. Another objection he had was the assumption that this industrial area was increasing in value when it was not, as industry had left this area. He had purchased Lots 7 and 8 from his brother, who had purchased it from Mr. Mac Hull for \$11,000. His income from Lots 7 and 8 was \$2400 per year. He was satisfied with the values on the improvements, but not on the land. The appraiser stated this property was based on \$100.00 a front foot, and Mr. Holloway stated the actual market value was around \$40.00 a front foot. Comparison with the Safeway property was made--it was \$100.00 a front foot on 5th; \$110-\$125 on 6th. The appraiser stated Lot 7 and Lot 8 was set at \$100.00 with 20% discount; part of Lots 8 and 9, 47', \$4662, valued at \$100 less 20%. Lot 10 and east 29.05' of Lot 11, 74', \$9176 full value - \$100.00 a foot with no discount. Mr. Holloway stated the whole area was inactive as to industrial use, and industry had moved on the San Antonio Highway because of the terrible taxes. Councilman Thompson noted the taxes had actually been reduced in this area; and if this were the case industry had not moved out due to increased taxes. The Council decided to look at this area. Mr. Holloway had one other to discuss--1119 East 4th Street.

The Mayor announced that these would be taken up the following Thursday.

The Mayor submitted the letter from Mrs. Edith Peterson making an appeal from the Decision of the Board of Equalization, and set this case for October 7th.

The following appeals were reset for 2:00 Thursday, October 7th:

MR. JOE C. POWELL (Mr. John D. Cofer, Attorney)	200 Block of South Lamar	Family dwelling
MR. BEN H. POWELL, JR. (Mr. John D. Cofer, Attorney)	300 & 302 South Lamar	Austin Truck Co. Service Station and one family dwelling.
MR. M. L. EILERS	1900 Elton Lane	One family dwelling.
MR. O. ASHLEY	1005 W. 33rd St. 1012 W. 32nd St.	Residence
MRS. JULIA PALM (Mr. J.H. Tallichet, Jr., Attorney)	720 Congress Avenue	French Boot Shop

The following appeals were reset for 2:00 Thursday, October 28th:

DELWOOD CENTER INC.	38th & East Avenue	Delwood Community Center
TEXAS FEDERATION OF WOMEN'S CLUBS (Mr. Trueman E. O'Quinn, Attorney)	2312 San Gabriel	Commercial Building

There being no further business the Council adjourned, subject to the call of the Mayor.

APPROVED: _____

O. M. Eddy
Mayor

ATTEST:

Elvin Ashley
City Clerk